

REMARKS/ARGUMENTS

In the Restriction action issued 25 June 2004, a restriction requirement was raised between group I, including claims 1-14, 34-35, and 39-45 drawn to a method of modifying the variable region of an immunoglobulin gene; group II, including claims 15-25, 29-33 and 48-50, drawn to transgenic non-human organisms and cells; group III, including claims 26-28 and 46-47, drawn to an immunoglobulin; and group IV, including claims 36-38, drawn to a method of making an antibody. In response, the applicants elect claim group I and cancel non-elected claims 15-33, 36-39 and 46-50 without prejudice to renewal in a subsequently filed application.

Elected claims 1-14, 34-35, and 39-45 are canceled and rewritten as new claims 51-78. Support for the new claims is found in the specification as shown in Table 1. No new matter is added by these claims. Additionally, new claims 56, 62, 70 and 74 are based, in part, by non-elected claims. However, the Examiner has kindly agreed to consider a claim to compositions made by the elected method. Accordingly, Applicants respectfully request consideration of the new claims.

Table 1.

New Claim	Support
51	original claim 40
52	original claim 41
53	original claim 42
54	page 47, lines 24-25
55	page 47, line 34 to page 48, line 7
56	page 5, lines 16-18; page 9, lines 30-31; original claims 40-43
57	page 48, line 26; page 51, line 5
58	page 48, line 25
59	page 6, lines 10-11; original claim 13
60	page 5, lines 32-33; original claim 12
61	page 5, lines 32-33; original claim 14
62	page 6, line 10 to page 7, line 33; original claim 21 and 31
63-64	page 10, lines 30-34; original claims 5 and 6
65	original claims 40 and 43
66	original claims 41 and 44
67	original claims 42 and 45
68	page 47, lines 24-25
69	page 47, line 34 to page 48, line 7; original claim 7

• USSN10/076,840

Restriction Requirement dated 25 June 2004

Response dated 23 July 2004

70	page 5, lines 16-18; page 9, lines 30-31; original claims 40-43
71	original claim 12
72	original claim 14
73	original claim 13
74	original claims 21 and 31
75	original claim 11
76	original claim 12
77	original claim 14
78	original claims 21 and 31

Conclusion

It is believed that this document is fully responsive to the Restriction requirement raised in the Restriction action dated 28 January 2004. In light of the above amendments and remarks, it is believed that the claims are now in condition for allowance, and such action is respectfully urged.

Fees

Although it is believed that no fees are due, in the event the Patent Office determines that fees are due, the Commissioner is hereby authorized to charge Deposit Account Number 18-0650 in the amount of any fees deemed to be due.

Respectfully submitted



Valeta Gregg, Ph.D., Reg. No. 35,127

Regeneron Pharmaceuticals, Inc.

777 Old Saw Mill River Road

Tarrytown, New York 10591

(914) 345-7400